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e-filing

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**GREATER NAPA FAIR HOUSING
CENTER, a California Not for Profit
Corporation, doing business as
FAIR HOUSING NAPA VALLEY, as
an individual entity only; RUBY
DUNCAN, an incompetent adult, by
and through her Guardian Ad Litem,
M. LOUISE WHITAKER; and EVA
NORTHERN, an incompetent adult,
by and through her Guardian ad
Litem, NANCY NORTHERN,
each individually and on behalf of
individuals similarly situated;
NANCY NORTHERN, in her
individual capacity only; and M.
LOUISE WHITAKER, in her
individual capacity only,**

Plaintiffs,

vs.

**HARVEST REDWOOD
RETIREMENT RESIDENCE, L.L.C.,
doing business as Redwood
Retirement Residence; REDWOOD
RETIREMENT RESIDENCE L.L.C.;
and HOLIDAY RETIREMENT CORP.,**

Defendants.

Petitioner herein, Ruby Duncan, states as follows:

1. I am 100 years old, and I am about to commence litigation as a named plaintiff in a class action in this Court against Redwood Retirement Residence.

2. I have multiple physical and cognitive disabilities, most of which are the effects of old age. On many days I do not feel well enough to dress and leave my

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, CONSENT OF NOMINEE, & ORDER

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED

JUL 23 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No.

3652

MEJ

**PETITION FOR APPOINTMENT OF
GUARDIAN AD LITEM; CONSENT OF
NOMINEE; ORDER APPOINTING
GUARDIAN AD LITEM**

CLASS ACTION

BY FAX

1 apartment. I also have significant communication and perception impairments, which
2 limit my ability to understand and actively participate in conversations. Recently, I have
3 begun to experience severe memory loss and dementia, and I have difficult focusing on
4 anything other than simple thoughts.

5 3. As a result of my cognitive disabilities, I am not able to understand or fully
6 direct the course of this litigation.

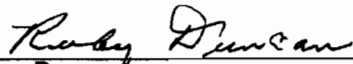
7 4. For many years, my daughter, M. Louise Whitaker ("Lou"), has assisted me
8 with my financial affairs, medical issues, housing, and a wide variety of other matters.

9 5. I granted Lou durable power of attorney for purposes of my healthcare
10 decisions on December 27, 1999, and it continues to be enforceable.

11 6. Lou is willing and able to act as guardian ad litem for me for the purposes of
12 this litigation, as appears by her attached consent.

13
14
15 Respectfully submitted,

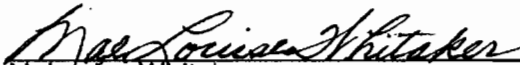
16 Dated: July 9, 2007

17 
18 Ruby Duncan

19
20 **CONSENT OF THE NOMINEE**

21 I, Louise Whitaker, the nominee of Petitioner Ruby Duncan, consent to act as
22 guardian ad litem for Ruby Duncan in the above action.

23
24
25 Dated: July 9, 2007

26 
27 M. Louise Whitaker
28

ORDER

The Petition for an Order appointing M. Louise Whitaker as guardian ad litem for
Petitioner Ruby Duncan is GRANTED.

IT IS SO ORDERED.

Dated: 7/23/07

United States District Court Judge

MARIA-ELENA JAMES
UNITED STATES MAGISTRATE JUDGE